

PATENT
ATTORNEY DOCKET NO.: 46884-5345

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Satoshi MATSUMOTO et al.) Confirmation No.: 8192
Application No.: 10/518,392) Group Art Unit: 2855
Filed: July 25, 2005) Examiner: Gail K. Verbitsky
For: LASER PROCESSING APPARATUS,)
LASER PROCESSING)
TEMPERATURE MEASURING)
APPARATUS, LASER)
PROCESSING METHOD, AND)
LASER PROCESSING)
TEMPERATURE MEASURING)
METHOD)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Issue Fee
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement (“IDS”) is being filed after the events recited in § 1.97(c) but before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), a fee of \$180.00, as specified by § 1.17(p) is attached hereto.

The documents listed on the attached PTO Form 1449 were first cited in a European Search Report issued by the European Patent Office on August 13, 2009 in a counterpart foreign

application. Hence, to the best of the undersigned's knowledge and recollection, each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. A copy of the European Search Report dated August 13, 2009 is enclosed for the Examiner's consideration.

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and copies of the cited non-U.S. patent documents are also attached hereto.

While the European Search Report dated August 13, 2009 additionally cites to U.S. Patent No. 5,705,788 and Japanese Patent Application Laid-Open No. H5-261576, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Information Disclosure Statement in this application on July 25, 2005.

As for relevance of the foreign language documents, English-language abstracts are attached hereto for the foreign language documents. In addition, the relevance of the foreign language documents can be understood from their citations in the above-discussed European Search Report dated August 13, 2009.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "Prior Art". If it should be determined that any of the listed documents do not constitute "Prior Art" under the United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: November 10, 2009

By:

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